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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,831	02/05/2004	Jorge Miguel Aguglia	1311.69599	6005

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Chicago, IL 60606

EXAMINER

CRANSON JR, JAMES W

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/772,831

Applicant(s)

AGUGLIA, JORGE MIGUEL

Examiner

James W. Cranson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 1-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/09/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the filaments must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 1 is objected to because the term “mutually perpendicular” is indefinite.

Claims 2-8 depend from claim 1 and are objected to for the same reason.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Regarding claim 1

Claim 1, as understood, is rejected under 35 U.S.C. 103(a) as being unpatentable

Over USPN 1,877,785 to Andrews or USPN 5,711,591 to Jordan

Andrews discloses, in figure 2, a signaling device comprising at least two lamps arranged mutually perpendicular to achieve emission that is uniform over 360 degrees. (figure 2 shows 360 degrees of emission). Andrews does not state that the lamps have filaments. However it is well known that at the time of Andrews invention, lamps had filaments.

Regarding claims 2 and 3 both according to claim 1,

Claim 2 and 3, as understood, is rejected under 35 U.S.C. 103(a) as being unpatentable

Over USPN 5,711,591 to Jordan in view of USPN 6,086,220 Lash et al.

Jordan discloses a signaling means (10), body suitable to be connected to a rescue craft (20, column 3, lines 37-47) and to house power supply (60, 62, figure 4, column 3, lines 48-67), wherein signaling means has two incandescent lamps (56, column 3, lines 65-67), arranged with filaments mutually perpendicular to achieve emission that is uniform over 360 degrees (figure 2 shows 360 degrees of emission). Jordan does not state that the lamps have filaments. By definition an incandescent lamp will have filaments. Jordan

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does not disclose the details of the connecting means. Lash teaches the use of a connecting cable (17) to connect signaling means to power supply means. It would be obvious to one of ordinary skill in the art at the time of the invention to incorporate the use of a connecting cable as taught by Lash in a rescue craft signaling means to the rescue craft signaling means of Jordan for ease of maintenance.

Regarding claim 4, according to claim 2,
Jordan discloses a transparent dome in abstract.

Allowable Subject Matter

Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if the other objection is withdrawn.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 5, according to claim 2 which depends from claim 1 adds switch means comprising a cord that is wound around the switch for automatic actuation upon opening of the rescue craft.

Claim 6, according to claim 4 which depends from claim 2, adds that dome has a flange in a downward region for fixing to outer surface of rescue craft.

Claim 7, depends from claim 6.

Claim 8, according to claim 4 which depends from claim 2, adds a hermetic sealed connector interposed between lamps and connecting cable.

The above recited limitations in the dependent claims combined with limitations from claims 1 and 2 are not found or taught in the art of record.

Conclusion

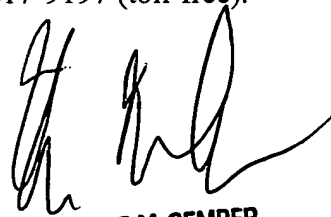
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are USPN 3,569,693 to Leonberg et al., USPN 5,416,670 to Authier, USPN 6,808,291 to Aylward et al. and USPN 4,384,268 to Matthewman.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




THOMAS M. SEMBER
PRIMARY EXAMINER